

REMARKS

Claims 1-10, 12-25, and 27 are pending in this application. Claims 1-27 currently stand rejected, and claims 1 and 13 have been amended. Reconsideration and withdrawal of the rejections are respectfully requested in light of the preceding amendments and following remarks.

Interview Summary

Applicants thank the Examiner for his time and consideration during the interview of February 9, 2009. During the interview, the parties discussed the current rejections over art of record, particularly art to Ammicht, discussed below. The Examiner suggested that the wording of the claims was too broad, such that it could be met by the capabilities of Ammicht's receiver. Applicants have amended the claims in accordance with this understanding in order to preclude the Examiner's overlapping interpretation of the claims and Ammicht.

Claim rejections - 35 U.S.C. §103

Claims 1-5, 7-8, 10-15, 18, 20-23 and 25-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over US Pat 4,870,686 to Gerson et al. ("Gerson") in view of US Pat 6,246,986 to Ammicht et al. ("Ammicht") U.S. Patent No. 6,246,986. Applicants respectfully traverse this rejection for the reasons detailed below.

The Examiner applies Ammicht for the element of claim 1 "receiving a user rejection or confirmation of the recognition result, the capable of occurring prior to the feeding back, during the feeding back, and after the feeding back," stating that Ammicht's receiver is capable of receiving user feedback before a prompt begins, because Ammicht's receiver listens to all incoming signals. Applicants respectfully submit that claims 1 and 13 have been amended to clarify that the user rejection or

confirmation is “receiv[ed] and identif[ied] . . . prior to the feeding back.” Ammicht does not disclose reception or identification of user feedback before its prompting beings. Particularly, Ammicht discloses only a barge-in mode that is applicable “**while it is playing** a prompt,” not before the prompt has started. *See* Ammicht, Col. 3, ll. 39-41; *see also*, Ammicht, Col. 7, ll. 14-17 (“In the barge-in mode of operation, controller 140 also abruptly **terminates the prompt** as soon as it received the expected input from element 130”). Thus, in barge-in mode, the prompt begins playing and the “user does not wait for the prompt unit 150 to finish.” *See* Ammicht, Col. 5, ll. 27-31. Ammicht further confirms that its system, outside of barge-in mode, does not otherwise receive or identify user feedback before a prompting, describing the advantages to “effectively **stop listening and prompt**” the user, so that the user cannot barge-in before the prompt. *See* Ammicht, Col. 6, ll. 43-46. In sum, Ammicht univocally does not disclose or suggest “receiving and identifying a user rejection or confirmation of the recognition result, the **receiving and identifying occurring prior to the feeding back.**”

Because Gerson, alone or in combination with Ammicht, fails to teach or suggest each and every element of claim 1 as amended, these references cannot anticipate or render obvious claim 1. Claim 13 is similarly allowable for reciting, as amended, the same unique features of claim 1 over Gerson and Ammicht. Claims 2-5, 7-8, 10, 12, 14, 15, 18, 20-23, 25, and 27 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 1-5, 7-8, 10, 12, 14, 15, 18, 20-23, 25, and 27 under 35 U.S.C. § 103(a) is respectfully requested.

Claims 6, 17, and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gerson in view of Ammicht, and further in view of US Pat 5,325,421

to Hou et al. ("Hou"). Hou does not cure, nor does the Examiner apply Hou for curing, the disclosure and suggestion deficiencies of Gerson and Ammicht discussed above. Specifically, Hou does not teach user confirmation or rejection before a recognition result is fed back. Because Gerson, alone or in combination with Ammicht and Hou, fails to teach or suggest each and every element of claims 1 and 13, these references cannot anticipate or render obvious claims 1 or 13. Claims 6, 17, and 19 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 6, 17, and 19 under 35 U.S.C. § 103(a) is respectfully requested.

Claims 9 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gerson in view of Ammicht, and further in view of publication "Investigating a Mixed Initiative Dialogue Management Strategy," 1997, to Larson ("Larson"). Larson does not cure, nor does the Examiner apply Larson for curing, the disclosure and suggestion deficiencies of Gerson and Ammicht discussed above. Specifically, Larson does not teach user confirmation or rejection before a recognition result is fed back. Because Gerson, alone or in combination with Ammicht and Larson, fails to teach or suggest each and every element of claims 1 and 13, these references cannot anticipate or render obvious claims 1 or 13. Claims 9 and 24 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 9 and 24 under 35 U.S.C. § 103(a) is respectfully requested.

Claim 15 is rejected under 35 U.S.C. §103(a) as being unpatentable over Gerson in view of Ammicht, and further in view of US Pat 6,269,336 to Ladd et al. ("Ladd"). Ladd does not cure, nor does the Examiner apply Ladd for curing, the disclosure and suggestion deficiencies of Gerson and Ammicht discussed above. Specifically, Ladd

does not teach user confirmation or rejection before a recognition result is fed back. Because Gerson, alone or in combination with Ammicht and Ladd, fails to teach or suggest each and every element of claim 13, these references cannot anticipate or render obvious claim 13. Claim 15 is allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claim 15 under 35 U.S.C. § 103(a) is respectfully requested.

CONCLUSION


In view of the above amendments and remarks, reconsideration and allowance of each of claims 1-10, 12-25, and 27 are earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a one (1) month extension of time for filing a reply to the outstanding Office Action and submit the required \$130.00 extension fee herewith.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly, extension of time fees.

Respectfully Submitted,
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